

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MALIK SAMUELS,

Petitioner,

v.

**SUPERINTENDENT, SCI FAYETTE,
*et al.,***

Respondents.

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CIVIL ACTION

NO. 21-3417

ORDER

AND NOW, this 17th day of December 2021, upon careful and independent consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 (ECF No. 1), and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski (ECF No. 6), **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner's Motion for a Stay and Abeyance (ECF No. 4) is **GRANTED**;
3. The Petition for Writ of Habeas Corpus is **STAYED** and held in **ABEYANCE** while Petitioner litigates his PCRA petition in the state courts; and
4. Petitioner shall notify the District Court within thirty days of the conclusion of the state court proceedings. At that time, Petitioner shall provide a written status report detailing the conclusion of his state court proceedings, and include a copy of the relevant state court disposition. Petitioner shall inform the District Court whether the state court proceedings impacted his habeas petition in any way.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.